



Docket No.: 4703/1F214US3  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Mitsunori Iwamoto, et al.

Application No.: Not Yet Assigned

Art Unit: 1637

Filed: Concurrently Herewith

Examiner: Young J. Kim

For: NOVEL PROTEIN, ITS GENE, REAGENTS  
FOR INDUCING APOPTOSIS AND  
ANTICANCER AGENTS

**FIRST PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115**

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**Introductory Comments** begin on page 2 of this document.

**Amendments to the Specification** begin on page 4 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this document.

**Remarks** begin on page 7 of this document.

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## **INTRODUCTORY COMMENTS**

In accordance with Rule 115 of the Rules of Practice, please enter the following amendments and consider the accompanying remarks before examining this application on the merits. This application is a divisional of copending U.S. patent application Serial No. 09/912,176 filed on July 24, 2001 (hereinafter referred to as "the '176 application"). The '176 application is, in turn, a divisional of U.S. patent application Serial No. 09/230,338 filed January 22, 1999 (hereinafter referred to as "the '388 application") which has issued as U.S. Patent No. 6,291,644. Accordingly, the following documents are also submitted herewith:

- (1) a Utility Patent Application Transmittal;
- (2) a true copy of the '338 application as originally filed;
- (3) a true copy of the executed Declaration and Power of Attorney for Patent Application that was originally submitted for the '388 application;
- (4) an Information Disclosure Statement, including Form PTO/SB/08a/b ("Substitute to Form 1149A/PTO);
- (5) a copy of the Sequence Listing submitted on June 5, 2000 for the '388 application;
- (6) a Transmittal of Sequence Listing document, including the statement required under 37 C.F.R. §§ 1.821(f) and (g) and containing a specific reference under 37 C.F.R. § 1.812(e) to the computer readable form of the Sequence Listing submitted on June 5, 2000 for the '388 application.
- (7) a true copy of the original Japanese language deposit receipt for microorganisms I38A, I32D and I31OH, accompanied by a certified English language translation of each receipt;
- (8) a copy of the Statement Regarding Microorganism Deposits in Accordance with 37 C.F.R. §§ 1.801-1.809, which was originally submitted for the '176 application; and
- (9) a Fee Transmittal, accompanied by the appropriate filing fees.

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